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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/53/625/Add.3)*]

53/159. Situation of human rights in Haiti

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[1] and the International Covenants on Human Rights,[2]

Recalling its resolution 52/138 of 12 December 1997, and taking note of Commission on Human Rights resolution 1998/58 of 17 April 1998,[3]

Recognizing the interdependence and mutual reinforcement between democracy, development and respect for human rights and fundamental freedoms and the commitment of the international community to supporting, strengthening and promoting this principle,

Taking note of the report of the independent expert of the Commission on Human Rights on the situation of human rights in Haiti, Adama Dieng,[4] who was appointed to assist the Government of Haiti to

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[4] A/53/355, annex.

consider the development of the situation of human rights in Haiti and to verify its compliance with its obligations in that field, and the recommendations contained therein,

Taking into account the report of the Secretary-General on the implementation of the programme of technical cooperation aimed at strengthening the institutional capacity of Haiti in the field of human rights,[5]

Recognizing the important contributions of the International Civilian Mission in Haiti, the United Nations Civilian Police Mission in Haiti and the National Commission of Truth and Justice to the task of restoring and strengthening democracy in Haiti and of establishing a climate of freedom and tolerance conducive to respect for human rights in that country,

Noting with satisfaction that, in its resolution 52/174 of 18 December 1997, the General Assembly renewed the mandate of the United Nations component of the International Civilian Mission in Haiti of the Organization of American States and the United Nations,

Welcoming the technical assistance for the institutional development of the Haitian National Police given by the United Nations Development Programme and other members of the international community,

Noting that, despite the efforts of the Government to improve the situation of human rights in Haiti, in respect of which some progress has been reported, serious problems still persist, relating mainly to the system for the administration of justice,

Noting with concern that the prolonged absence of a Prime Minister has had adverse consequences for the situation of human rights, as stated in the report of the independent expert,

Reiterating the hope that the Haitian people will, at the earliest possible date, be able to fully express their will through free, fair and transparent elections,

Welcoming the decision of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences to travel to Haiti on mission in November 1998,

1. *Expresses its thanks* to the Secretary-General, his Special Representative for Haiti and the independent expert of the Commission on Human Rights on the situation of human rights in Haiti for their continuing efforts in favour of the consolidation of democratic institutions in Haiti and the respect for human rights in that country;

2. *Welcomes* the decision of the Government of Haiti to distribute throughout the country, with the support of the International Civilian Mission in Haiti, the report of the National Commission of Truth and Justice of February 1996 and to initiate legal action in serious cases;

3. *Encourages* the Government of Haiti to continue its work on the reform of the judicial system, underlining the priority of that reform in the framework of the bilateral and multilateral assistance provided by the international community, including the United Nations Development Programme, and in this connection calls upon all sectors of Haitian society concerned to adopt coordinated measures with a view to the enhancement of the system for the administration of justice, which is essential to ensure respect for human rights;

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[5] A/53/530.

4. *Calls upon* the Haitian authorities to mobilize the political will for the pursuit of reform and for the strengthening of the judicial system and the improvement of the country's prisons;

5. *Expresses its deep concern* at the prolonged political stalemate, which presents considerable risks for democracy, economic and social development and respect for human rights, and in this regard urges the authorities and political leaders to continue their efforts to resolve the crisis so that the appointment of a Prime Minister may be ratified by the Parliament without further delay;

6. *Notes with satisfaction* the putting into operation by the Government of Haiti of the Office of the Ombudsman, and invites the United Nations High Commissioner for Human Rights to contribute to its strengthening through a programme of technical cooperation, so that it may develop into a national institution for the promotion of human rights, open to wide participation by civil society;

7. *Invites* the international community, including the Bretton Woods institutions, to continue their involvement in the reconstruction and development of Haiti, having regard for the fragility of the political, social and economic situation of the country;

8. *Encourages* the Government of Haiti to ratify the International Covenant on Economic, Social and Cultural Rights,[2] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[6] and the Optional Protocols to the International Covenant on Civil and Political Rights;[7]

9. *Decides* to continue its consideration of the situation of human rights and fundamental freedoms in Haiti at its fifty-fourth session.

85th plenary meeting
9 December 1998

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[6] Resolution 39/46, annex.

[7] See resolutions 2200 A (XXI), annex, and 44/128, annex.